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Testimony of
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Submitted to Judiciary Committee
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**SB 453 AN ACT CONCERNING CERTIFICATES OF RELIEF FROM BARRIERS
RESULTING FROM CONVICTION OF A CRIME**

OPPOSE

Conn-NAHRO is the Connecticut Chapter of the National Association of Housing and Redevelopment Officials, the Connecticut Chapter represents over 112 Connecticut housing authorities and other non-profit and community development member agencies. Member agencies have the responsibility of effectively managing or administering housing for 150,000 families/individuals and over 62,000 housing units in Connecticut.

Speaking on behalf of Conn-NAHRO's Executive Board and member agencies, I would like to express our opposition to S.B. 453. Line 248 through 280 of the bill proposes to modify Section 8-45a of the general statutes. CGS Section 8-45a allows housing authorities to consider criminal records, alcohol abuse and status as a registered sexual offender in determining eligibility for the rental of public housing units.

The bill's proposed revision states that "In making a determination under this section, the housing authority shall give consideration to a Certificate of Relief from Barriers issued under section 54-130e, as amended by this act, and such certificate shall be deemed to demonstrate presumed eligibility that the applicant or occupant, as the case may be, is suitable for such housing, except as provided by federal law."

Public housing authorities (PHAs) must prohibit admission for certain types of criminal offenses. 24 CFR 960.204; 24 CFR Part 5, subpart L. Moreover, federal law requires PHAs to screen family behavior and suitability for tenancy. 24 CFR 960.203. The regulations grant to PHAs the discretion in deciding what tenant selection criteria to establish, within certain federal parameters.

This revision would prevent the housing authority from using the screening tools it is provided to meet our statutory and regulatory obligations to provide safe and sanitary dwelling for our elderly and low income families.

Our concerns over the bill's proposed revision are only heightened by the recent report on recidivism conducted by the Department of Corrections. This February 2012 study found that within five years of their release 79 percent of the studied offenders were re-arrested, 69 percent were convicted of a new crime and 50 percent were returned to prison with a new sentence.

While we recognize there is a need for affordable housing for recently released inmates; we have a significant concern based on the report mentioned above about placing these former inmates into a population that consists of some of our most inherently vulnerable populations including our elderly and young disable populations.

PHAs already utilize safeguards that allow due process for convicted criminals. All applicants that are denied admission into public housing are afforded an opportunity for a hearing in which all extenuating circumstances can be considered, including factors which might indicate a reasonable probability of favorable future conduct.

In closing, it was only in 1995 that the legislature passed PA 95-247 replacing the prior provisions and allowing housing authorities to consider an applicant's history of criminal activity. The act required the housing authority to give consideration to the time, nature and extent of the applicants conduct and factors which might indicate a reasonable probability of favorable future conduct. Therefor I urge the committee to reject SB 453 and leave intact the protections provided by CGS 8-45a.